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18 THOMAS RAY WOODSON

19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 OAKLAND DIVISION

22 THOMAS RAY WOODSON,
23 Plaintiff,
24 v.

25 J. RODRIGUEZ, *et al.*,
26 Defendants.

Case No. 4:07-CV-04925-CW

**STIPULATION AND [PROPOSED]
ORDER EXTENDING DEADLINE IN
CONDITIONAL ORDER OF
DISMISSAL (DKT. 146)**

Judge: The Honorable Claudia Wilken
Complaint Filed: September 21, 2007

1 Plaintiff Thomas R. Woodson and counsel for Defendants J. Rodriguez, E. Camarena,
2 J. Parra, D. Vega, and Sergeant Kircher hereby submit this Stipulation and Proposed Order to
3 extend the deadline for consideration to be delivered for the settlement of the case as set in the
4 Conditional Order of Dismissal (Dkt. 146).

5 On July 5, 2011, the parties filed a joint request for the court to vacate the trial date and
6 pretrial deadlines in the case because the parties were in the process of negotiating the terms of a
7 settlement agreement. (Dkt. 145)

8 On July 7, 2011, the Court issued an order conditionally dismissing the case with
9 prejudice and indicating that, "however, that if any party hereto shall certify to this Court, with
10 proof of service of a copy thereon on opposing counsel, within 90 days from the date hereof, that
11 the agreed consideration for said settlement has not been delivered over, the foregoing Order shall
12 stand vacated and this cause shall forthwith be restored to the calendar to be set for trial." (Dkt.
13 146).

14 The parties agree that it is not feasible for consideration to be delivered by the 90-day
15 deadline of October 5, 2011, in light of the fact that the settlement agreement and related
16 documents have not been finalized.

17 IT IS HEREBY STIPULATED AND RESPECTFULLY REQUESTED by the Parties, by
18 and through their respective counsel, that the Court amend its July 7, 2011 Conditional Order of
19 Dismissal as follows:

20 "This cause be dismissed with prejudice; provided, however, that if any party hereto shall
21 certify to this Court, with proof of service of a copy thereon on opposing counsel, within 180 days
22 from full execution of the settlement agreement, that the agreed consideration for said settlement
23 has not been delivered over, the foregoing Order shall stand vacated and this cause shall forthwith
24 be restored to the calendar to be set for trial."

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Dated: August 2, 2011

Respectfully Submitted,

MATTHEW I. KREEGER
DANIEL P. MUINO
J. MANENA BISHOP
JOSEPH K. KANADA
MORRISON & FOERSTER LLP

By: /s/ Joseph K. Kanada
JOSEPH K. KANADA

Attorneys for Plaintiff
THOMAS RAY WOODSON

Dated: August 2, 2011

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By: /s/ Jose A. Zelidon-Zepeda
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ECF ATTESTATION

I, JOSEPH K. KANADA, am the ECF User whose ID and password are being used to file the following document: STIPULATION AND [PROPOSED] ORDER EXTENDING DEADLINE IN CONDITIONAL ORDER OF DISMISSAL. In compliance with General Order 45, X.B., I hereby attest that Jose A. Zelidon-Zepeda has concurred in this filing.

Dated: August 2, 2011

JOSEPH K. KANADA
MORRISON & FOERSTER LLP

By: /s/ Joseph K. Kanada
JOSEPH K. KANADA

1 **PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.**

2
3 Dated: 8/9/2011

4 
HONORABLE CLAUDIA WILKEN
United States District Court Judge